



Lathrop GPM LLP
lathropgpm.com

80 South Eighth Street
500 IDS Center
Minneapolis, MN 55402
Main: 612.632.3000

Julia Dayton Klein
Partner
Julia.DaytonKlein@Lathropgpm.com
612.632.3153

June 22, 2020

The Honorable Eric C. Tostrud
United States District Court
316 North Robert Street
St. Paul, MN 55101

Via ECF

Re: *League of Women Voters of Minnesota Education Fund, et al. v. Steve Simon*
Case No. 0:20-cv-01205

Dear Judge Tostrud:

As this Court is aware, on June 16, 2020, Judge Sara Grewing of the Ramsey County District Court, approved a Stipulation and Partial Consent Decree in the matter *Robert LaRose, et. al. v. Steve Simon* (Court File No. 62-CV-20-3149) (the "State Court Consent Decree") (See ECF No. 28.). The State Court Consent Decree relates, in part, to the requirement that each absentee or mail-in ballot be witnessed by a registered Minnesota voter, a notary, or person authorized to administer oaths, which is also at issue in the present action. See Minn. Stat. §203B.07; Minn. Stat. § 204B.45; Minn. R. 8210.3000. Two of the Proposed Intervenor Defendants, the Republican National Committee, and the Republican Party of Minnesota have filed a Notice of Intervention in the state court action and intend to challenge the State Court Consent Decree.

In light of the procedural posture of the matter *Robert La Rose, et. al. v. Steve Simon* (Court File NO. 62-CV-20-3149), including the fact that the State Court Consent Decree has already been approved, and the overlapping issues in the matter at hand, Plaintiffs respectfully request that this action be held in abeyance until such time as the State Court Consent Decree is modified or lifted or after the August primary, whichever occurs soonest. Plaintiffs have conferred by email with Defendant Steve Simon and Proposed Intervenor-Defendants Donald J. Trump for President, Inc., the Republican National Committee, and the Republican Party of Minnesota regarding the request for abeyance. Defendant Steve Simon responded with their position that the issue is moot or appropriate for abstention in favor of the state court action. The Proposed Intervenor-Defendants Donald J. Trump for President, Inc., the Republican National Committee, and the Republican Party of Minnesota are opposed to this request.

Very truly yours,

LATHROP GPM LLP

By *s/ Julia Dayton Klein*
Julia Dayton Klein
Partner

JDK/tll